

REMARKS

In view of the Examiner's Answer dated April 28, 2004 (Paper No. 040202004), and in accordance with MPEP §706.07(h), Applicant hereby withdraws the pending Appeal concurrent with the filing of a Request for Continued Examination (RCE). Applicant further requests an Interview with the examiner prior to the examiner issuing another Office Action. An Applicant originated Interview Request form is enclosed with this Amendment.

This Amendment is responsive to the Office Action which was the subject of the appeal dated November 18, 2003 (Paper No. 20), as effected by the Examiner's Answer dated April 28, 2004.

By this Amendment, claim 13 is added, having a more limited scope. Support for new claim 13 can be found variously throughout the specification, for example, claim 5. No new matter was added. Accordingly, claims 1-5 and 7-13 are pending in this application, with claims 5,7,8,11,12 and 13 pending for the for the examiner's consideration.

Rejections under 35 U.S.C. §103

Claims 5 and 7 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 3,471,353 to Rasmussen in view of either U.S. Patent No. 3,514,359 to Frese or U.S. Patent No. 2,628,180 to Iverson. Applicant respectfully traverses this rejection.

In accordance with the Examiner's Answer dated April 28, 2004, this rejection was withdrawn.

Claims 8 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 3,471,353 to Rasmussen in view of either U.S. Patent No. 3,514,359 to Frese or U.S. Patent No. 2,628,180 to Iverson and further in view of U.S. Patent 4,717,624 to Ikenaga et al. Applicant respectfully traverses this rejection.

In accordance with the Examiner's Answer dated April 28, 2004, this rejection was withdrawn.

Claims 11 and 12 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 3,471,353 to Rasmussen in view of either U.S. Patent No. 3,514,359 to

Frese or U.S. Patent No. 2,628,180 to Iverson, and further in view of U.S. Defensive Publication No. T888,001. Appellant respectfully traverses this rejection.

In accordance with the Examiner's Answer dated April 28, 2004, this rejection was withdrawn.

Claims 5 and 7 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 3,514,359 to Frese in view of U.S. Patent No. 3,471,353 to Rasmussen. Applicant respectfully traverses this rejection.

Claim 5 recites a method for manufacture of a polyolefin article comprising: selecting an oriented polyolefin material having a value of not exceeding 5×10^{-5} (/°C) for average coefficient of linear expansion in the 20 - 80 °C range (See, for example, page 8, lines 7-12); depositing a peroxide, combined with a polymerizable monomer capable of dissolving polyolefin, on a surface of the oriented polyolefin material (See, for example, page 17, lines 3-18); and bonding said oriented polyolefin material to a second polyolefin material by the application of pressure and heat, thereby manufacturing a polyolefin article (See, for example, page 14, line 20 to page 15, line 3).

The present specification (page 15, line 16 to page 17, line 2) lists examples of low molecular weight liquids (nonane, octane, decane, benzene, toluene, xylene, etc.) and polymerizable monomers (styrene, (meth) acrylic monomers, divinylbenzene, diallyl phthalate, etc.) which would be able to dissolve the polyolefin material. The result is a two-part adhesive of the peroxide + monomer.

The specification, page 7, line 13 to 24 relates to the description of the present invention and the same does not concern the description of prior art.

The specification discloses on page 7, line 13 to 15 that the unoriented polyolefins generally have an average LEC of greater than 5×10^{-5} (/°C). Particularly, the applicant admitted only the same as the prior art.

The language on page 7, line 15 to 23, "Due to the inclusion of the oriented polyolefin material, the polyolefin article of the present invention exhibits a value of not exceeding 5×10^{-5} (/°C) for average coefficient of linear expansion in the 20 - 80 °C range, as specified above. In other words, the oriented polyolefin material is included in the polyolefin article so that its average coefficient of linear expansion in the 20 - 80 °C range is maintained at a value of not exceeding 5×10^{-5} (/°C)." is the description of the present invention, and the applicant

never describes that the oriented polyolefins have an LEC of not greater than 5×10^{-5} ($^{\circ}\text{C}$). Further, the applicant does not admit the same as the prior art.

Even if unoriented polyolefins have an LEC of greater than 5×10^{-5} ($^{\circ}\text{C}$), this does not always mean that oriented polyolefins have an LEC of not greater than 5×10^{-5} ($^{\circ}\text{C}$). The applicant firstly found that the combination of unoriented polyolefin and oriented polyolefin allows to make an LEC not greater than 5×10^{-5} ($^{\circ}\text{C}$). The language of page 7, line 15 to 24 describes this and thus the same does not relate to the prior art nor known facts.

Therefore, it is not clear whether the oriented polyolefin disclosed in Rasmussen et al have an LEC of greater than 5×10^{-5} ($^{\circ}\text{C}$). The allegation by the Examiner that the oriented polyolefin shown in Rasmussen et al have an LEC of greater than 5×10^{-5} ($^{\circ}\text{C}$), is not supported by applicants' specification.

Accordingly, a prima facie case of obviousness has not been made, and the rejection should be withdrawn.

Additionally, claim 7, depending from claim 5, is also allowable for the reasons above. Moreover, this claim is further distinguished by the materials recited therein, particularly within the claimed combination. Accordingly, this rejection should be withdrawn.

Claim 8 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 3,514,359 to Frese in view of U.S. Patent No. 3,471,353 to Rasmussen and further in view of U.S. Patent 4,717,624 to Ikenaga et al. Applicant respectfully traverses this rejection.

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Claims 11 and 12, depending from claim 5, are also allowable for the reasons above. Moreover, these claims are further distinguished by the materials recited therein, particularly within the claimed combination. Accordingly, this rejection should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. MIY-9007 from which the undersigned is authorized to draw.

Dated: June 21, 2004

Respectfully submitted,

By 

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